CONTACT REPORT

DIVISION OF WATER RIGHTS

SUBJECT: Owner Addition

STATE WATER RESOURCES CONTROL BOARD

DIVISION PERSONNEL:

Date:11/5/2007

Time: 1:35

Bill Rigby, WRIMS Unit

Telephone:

Individual / Agency Contacted: Tammy Ewin called to say her father Kenneth Bertagna and Judy Bertagna needed to be added as co-owners on Stmt.Nos. S013938 & S009671. I said I would change the Database to reflect her request.

RECOMMENDATION/ACTION:

1			
SŲRNAME	10/C 11/5/0) 7	

State Water Resources Control Board

Linda S. Adams



1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300 P.O. Box 2000 ♦ Sacramento, California 95812-2000 Fax: 916.341.5400 ♦ www.waterrights.ca.gov



SURNAME

Secretary for
Environmental Protection

Mailed 10/16/2007

In Reply Refer to:300:BR:S009671 & S013938

Roy and Tammy Ewin P.O. Box 279 Montgomery Creek, CA 96065

Dear Mr. & Ms: Ewin:

OWNER ASSIGNMENT FOR STATEMENTS OF WATER DIVERSION AND USE NOS. \$5009671 AND \$013938 FOR DIVERSION FROM HOBO CREEK TRIBUTARY TO MONTGOMERY CREEK IN SHASTA COUNTY

On March 22, 2005 the State Water Resources Control Board, Division of Water Rights (Division) received your Supplemental Statements of Water Diversion and Use (Statements) for 2002, 2003 and 2004, removing Kenneth Acand Nebile L. Bertagna as owners of the riparian claims.

Division staff updated the primary contact information for Statement Nos. \$009671 and \$013938 to show the following:

Statement ID:

S009671 & S013938

Current Owner:

Roy and Tammy Ewin + KENNETH A, BERTAGNA

Mailing Address:

P.O. Box 279

Montgomery Creek, CA 96065

Telephone:

(530) 337-6995

A Supplemental Statement will be mailed to you every three years. The submittal of a Supplemental Statement is the record of your water use. It is used by the Division to verify existing data and also gives the Division the ability to notify you of water right matters related to your riparian claim.

Should you have questions regarding this matter, please contact me at (916) 341-5376 or brigby@waterboards.ca.gov.

Sincerely,

BILL RIGBY
Engineering Associate
Data Management Unit

Cc: Kenneth A. and Nebile L. Bertagna P.O. Box 81 Montgomery Creek, CA 96065

BR 10/16/07

California Environmental Protection Agency

Recycled Paper

State of California, State Water Resources Control Board Division of Water Rights P.O. Box 2000, Sacramento, CA 95812-2000 Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

1009671%5%2004 TE WATER HESOURCES CO .200272003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: TAMMY EWIN

PO BOX 279

Owner of Record: KENNETH A BERTAGNA;

KENNETH A BÉRTAGNA

PO BOX 81/

ST-SUPPL (1-05)

NEBILE L BERTAGNA; FOY + TAMMY EWIN

JAY J. T. ALER ALC -TS SACRAN/FINTO

STATEMENT NO.: S009671 CONTACT PHONE NO.: (916)337-6313-

580-337-6995

2005 MAR 22 AM 5:31

PC MC	DINTOMERY CREEK, CA 96065 Montgomery	500-331-6113
IVIC	ON TOWNER CREEK, CA 90003 TO COTTO	4600 J
Source Name:	Unnamed Stream (H) COCCEL) MONTGOMERY CREEK	
County:	Shasta	Year of First Use: 1898
Diversion With	n: NE1/4 of NE1/4 Section 36, T35N, R01W, MB&M	Parcel Number: 027-310-14 037-310-15 037-340-14
,		
A. <u>Water</u>	s Used Under: Riparian clairn Pre-1914 right	Other (explain):
B. <u>Year o</u>	First Use: (Please provide if missing above)	<u></u>
C. Amour	tof Use: Enter the amount (or the approximate amount) of water used	each month, using the table below.
V.	ofter use depends on what is in stream	Acre-feet (AF) Other as Needed
Year	Jan Feb Mar Apr May June July	Acre-feet (AF) Other WS 1) CTOTAL Aug Sept Oct Nov Dec Total
2002	1	Arnual
2003		
2004		
D. Purpos	e of Use - Specify number of acres irrigated, stock watered, persons se	
Irrigatio	n Approx . 40 acres; Stockwatering 20-40 H	read flatt bomestic 2-Lawns, Garden
How	outer is used - open d'itch, 2-1/2 avans	
Other (specify) used - Open allar, 2-12 pipes	, 1-59 pepe 1 aprile
	es in Method of Diversion — Describe any changes in your project since	e your previous statement was filed.
	ump, enlarged diversion dam, location of diversion, etc.)	
F. Please	answer only those questions below which are applicable to your project.	
		·
	nservation of water Are you now employing water conservation efforts? YES	NO .
	Describe any water conservation efforts you have initiated:	
h	If you are claiming credit for water conservation under section 1011 of	f the Weter Code for your eleimed are 1914 appropriative right. please
U.	show the amount of water conserved:	The water Code for your claimed pre-1914 appropriative right, pleas
	Reduction in Diversions:	
	PART CONTRACTOR	
rain mary organis.	in Year (1997) A ferror for a (AF/MG) Year (AF/MG) Year	(AF/MG) Year(AF/MG)
	Reduction in consumptive use:	- u
The property	altification associated by the first of the second of the	Section 20
•	Year (AF/MG) Year	(AF/MG) Year (AF/MG)
. •	I have data to support the above surface water use reductions due to	conservation efforts. YES NO
		£ !\

Page 1 of 2

08 18 05 PM WRMS

	_	Ara vau n	ou or hous you	, boon using roalsims	d 1110tos frama a 1110at.			-4. 0.1.11
	a.	a degree	which unreaso	nably affects such wat	er for other benefici	ewater treatment facility, d al uses? YES NO	esalination facility or w	vater polluted by wa
	b. -,	appropriat	live right under	due to the substitution section 1010 of the W	n of reclaimed water /ater Code, please s	, desalinated water or poll show amounts of reduced,	uted water in lieu of a diversions and amoun	claimed pre-1914 ts of substitute wat
,		Amount o	f reduced diver	sion:	· · · · · · ·	(AF/MG) Year	(AF/MG)
	•		•					
		Amount o	f substitute wat	er supply used: (AF/MG) Year		(AF/MG) Year	(AF/MG)
		I have dat	a to support th	e above surface water	use reductions due	to the use of a substitute	water supply. YES	NO
i.	Con	njunctive us	e of surface wa	ter and groundwater	•			
	a.	Are you n	ow using grour	dwater in lieu of surfa	ce water? YES	NO		
	b .			due to the substitution		a claimed pre-1914 appro	priative right under se	ection 1011.5 of the
		Year		(AF/MG) Year		(AF/MG) Year	(AF/MG)
						to the use of groundwater	•	
oug	ght in	tand that it r	nay be necess		ater savings claime	d in "F" above if credit und	•	
ded OAT	ght in clare re:\(\frac{\chi}{2}\)	tand that it rent the future.	nay be necess	ary to document the was report is true to the b	ater savings claimed	d in "F" above if credit und	er Water Code section	
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ded DAT	ght in clare re:\ <u>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</u>	tand that it rent the future.	ormation in this	report is true to the b	ater savings claimed	e and belief.	er Water Code section , C	ns 1010 and 1011 i
oug dec DAT GIG	ght in clare re:\ <u>\^</u> NAT\ NTE	tand that it r n the future. that the inf	ormation in this	ary to document the was report is true to the bary at the second of the	ater savings claimed	e and belief.	er Water Code section	ns 1010 and 1011 i
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dec DAT SIG: PRII	ght in clare re:\(\har\) NAT(NTE(tand that it r the future. that the info URE: D NAME: NY NAME:	ormation in this	report is true to the b	est of my knowledge (middle initial)	e and belief. Ewigan	er Water Code section , C	ns 1010 and 1011 i
dec DAT BIG:	ght in clare re:\(\har\) NAT(NTE(tand that it r the future. that the info URE: D NAME: NY NAME:	ormation in this	report is true to the b at	est of my knowledge (middle initial) acce for your answer	e and belief. Ewigania Ewiyania Ewigania E	last name)	ns 1010 and 1011 i

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the riatural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An <u>appropriative right</u> is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE OF CALIFORNIA

5009671

KGN

STATE WATER RESOURCES COMMON MEMORISCOUNCES.

DIVISION OF WATER RICHTS OF WATER RECOURS OF WATER RECOURS.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USES

This statement should be typewritten or legibly a rates in ink

A	Name of person diverting water Roy & Tammy Ewin-Kenneth & Fudith Bertag na P.O.Box 279 Montgomery Creek, Cal 96065 Address
В.	Name of body of water at point of diversion Tributary to Montgomery Creek Hobo Creek-Unamed Stream-STATE Montgomery Creek
C.	Place of diversion NE 1/4 NE 1/4 Section 36, Township 35N, Range R1W, B&M, Shasta County, or locate it on sketch of section grid on reverse side with regard to section
	lines or prominent local landmarks.
D.	Name of works Ewin Ranch & Bertagna Property
E.	Capacity of diversion works Open Ditch- 2-1½ Pipes-1-3/4 pipe-1-1½ cubic feet per second gallons per munite Capacity of storage reservoir One Stock Pond - always Open One Stock Pond - always Open acre feet
	State quantity of water used each month in gallons or acre-feet Total
	Year Jan. Feb Mar. Apr. May Juno July Aug. Sept. Oct. Nov. Dec. Annual
-	X X X X X X X X X X X X X X X X X X X
	If monthly and annual use are not known, check months in which water was used. State extent of use in militigistical as acres of each crop irrigated, average number of persons served, number of stock watered, etc. [405.7856 [200.18] [200
	Maximum annual water use in receit years
	Miningum annual water use in recent years NA gallons acro-feet
	Type of diversion facility: gravity X, pump.
Me	thod of measurement: weir, flume, electric power meter, water meter, estimate_X
•.	Purpose of use (what water is being used for) Irrigation-Approx-40-A- 2 Lawns
Ľ,	Garden- Stock Watering- Varies from 20-40 Head of cattle
C.	General description or location of place of use (use sketch of section grid on reverse side if you desire) Parcel #027-310-14-027-310-15-027-340-14
11.	Year of first use as nearly as known
I.	Name, of person filing statement Tammy Ewin
	Postion Ewin Ranch-Owner Organization Same as above
	Address P.O. Box 279-Montgomery Creek.Cal. 96065
	DATED TO SEE STORY OF PERSONS AND
	Signature Signature
s.,	See Instructions on Reverse Side

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS P.O. BOX 2000 SACRAMENTO, CA 95812-2000 (916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: KENNETH A BERTAGNA, NEBILE L BERTAGNA

	KENNETH A BERTAGNA P O BOX 81 MONTGOMERY CREEK, CA 96065	STATEM	ENT NO: S009671
В.	SOURCE: UNST TRIBUTARY TO: MONTGOMERY CREEK COUNTY: SHASTA DIVERSION WITHIN: NE% OF NE% SECTION 36, Water is used under: Riparian claim Year of first use (Please provide if missing above Amount of Use - Enter the amount of water used which water was used.	(916) YEAR O T35N, RIW, MB&M. PARCEL Pre 1914 right; Other (explain) e) Found Deedthat put f	ONE NUMBER: 337-6313 F FIRST USE: 1933 NO: 627-3/0-14 627-3/0-15 627-3/0-14 control water use not known, check the months in
	Amounts below are: Gallons	☐ Acre-feet ☐ (other) ☐ (other)	010-K
	YEAR JAN. FEB. MAR. APR. MAY	/ JUNE JULY AUG. SEPT OCT.	TOTAL NOV. DEC ANNUAL
	1993 ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~		1-3/9
D.	Purpose of Use - Specify number of acres irrigate Irrigation acres; Stockwaterii Other (specify) laures & farm		mes! pige
Ē.	<u>Changes in Method of Diversion</u> - Describe any c pump, enlarged diversion dam, location of diversi	hanges in your project since your previous si	tatement was filed. Wew
F.	If part of the water listed in Part C consists of recl or polluted water in the space below.	aimed or polluted water, please indicate the	annual amounts of rectained
	I declare under penalty of perjury that the information in DATED: May 23, 1996, at SIGNATURE: Keimeth A Section	this report is true to the best of my knowledge and 19256 Sportsy Dr. Marg	d belief. A.C. C. G. C.
	PRINTED NAME: SENNETH (FIRST NAME) COMPANY NAME: NAME:	A Bertae	N. 2. (LAST NAME)
,	See back of page for General Informula please number them in the s	mation. If there is insufficient space for y pace provided on the back of this form.	our answers, WR40-1 (4/96)

ITEM	CONTINUATION
11 - 171	
	Mes phoselles has been split & a ta perso
	12 fellow the drogent diversion & Carrier Watto Stell
	Domester use for Roy of Damous Ein on parcels
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	ates of high water
	political de la companya del companya de la companya del companya de la companya
	Causing good one.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

WR 40-1 (4/96)

5-9 671

PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

STATEMENT OWNER OF			на ве	RTAGNA						SAC	P95 NAY	TI .
KENNETH A	BERTAGI	na, et	al		-				:			7
MONTGOMER	Y CREEK,	, CA 96	065						Č		- 2 5	
SOURCE: U	NST				•					`		
TRIBUTARY COUNTY: S DIVERSION	TO: MON HASTA				5N, R1	W, MDB	. M.	3	(916) : YEAR O I	ONE NUI 337-63: F FIRS: NO:02	13 T USE:	1933 10-14
If any of the						, please	correct			<i>و و</i> ce if ow	シフ <i>ーヨ</i> / nership	0-15-
<i>t</i>	ÇO	MPLETE	AND R	ETURN	THIS FO	ORM BY	JULY 1	199	95			
A. <u>Water is ı</u>	used unde	<u>r</u> : Ripari	an claim	1 <u>X</u>	; Pre	1914 riç	ght	;0	ther (ex	plain)		
A. Water is u	<u>stuse</u> (P	lease pro	ovide if⊿n	nissing a	above) 💪	ve a	re of	indir	a re	ends	thos	- b Couls
B. <u>Year of fir</u>	<u>st use</u> (P	lease pro	ovide if n If the mount of	nissing a	above) (ised each	ive a	re of	irdir.	5 re	inds		
B. <u>Year of fir</u>	rst use (P f Use - En months in	lease pro	ovide if near the mount of vater wa	nissing a water used.	above) (ised each	to a h month	est of le le If mont	irdir.	S Des annual L	ends tus use are r		
B. <u>Year of fin</u> C. <u>Amount o</u> check the	rst use (P f Use - En months in elow arè:	lease pro AUULA ter the ar n which v	ovide if now the second of the	nissing a water us used.	above) (ised eac	te and an and an	If mont	induration and the second	annual u	ends Es use are r		
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Amounts be	rst use (P f Use - En months in elow arè:	lease pro AUULA ter the ar n which v	ovide if now the second of the	nissing a water us used.	above) (stur) (ssed each	te and	If mont	endir arlies thly and	annual u	ends Es use are r	ot know	vn, — ·TOTAL
3. Year of find the check the Amounts be JAN	rst use (P f Use - En months in elow arè:	lease pro AUULA ter the ar n which v	ovide if now the second of the	nissing a water us used.	above) (stur) (ssed each	te and	If mont	endir arlies thly and	annual u	ends Es use are r	ot know	vn, — ·TOTAL

*** CONTINUE ON BACK PAGE ***

WR40-1 (1/95

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) This projects that present Diversion of Diversion at 15 period of Diversion of Diversion, etc.) This projects that present Diversion of Carries watto from the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below. I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief. DATED: 5/8/95 1993 at Management Lady 96665 PRINTED NAME: Ferrett A. Beulagus PRINTED NAME: Ferrett A. Beulagus COMPANY NAME: (FIRST NAME) COMPANY NAME: (CAST NAME)

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"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS P.O. Box 2000 Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

STATEMENT NO. <u>500967/</u>
OWNER'S NAME Senweth & Dertegne
PARCEL NO. 05)-310-14 (MIDDLE)
PLACE OF USE: OWNER'S NAME <u>Senteth</u> A. Bentagnad Royd-Tammy EWIN (FIRST) (MIDDLE) (LAST)
1. PARCEL NO. <u>027-3/0-14</u>
2. PARCEL NO. 027-310-15
3. PARCEL NO. 027-340-14
PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:
OWNER/LESSEE/AGENT/OTHER OWNER-Remaing family Members
NAME Serveth A. Bertagna
(FIRST) (MIDDLE) (LAST)
MAILING ADDRESS NO BOX F/
Montgomery Peck Calic 96065
TELEPHONE NO. (9/6) 337 - 63/3
OTHERS USING ABOVE DIVERSION LOCATION:
1. NAME NEW OWNERS - DON'T KNOW Them
(FIRST) - (MIDDLE) (LAST)
MAILING ADDRESS OLD Rudy BZ/MZ RZNCh
(CITY) (STATE) (ZIP)
TELEPHONE NO. ()
2. NAME
(FIRST) (MIDDLE) (LAST)
MAILING ADDRESS
(CITY) (STATE) (ZIP)
TELEPHONE NO. ()
ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED
PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL INFORMATION BOX.

(1/95)

Parcel # 027-310-14 Parcel # 027-310-15 Parcel # 027-340 14

STATE WATER RESOURCES CONTROL BOARD

MR WYNN ROWLAND

Statement #=S009671 Statement #-S013938

I am sending back these forms for water rights that have even become confusing for me so will exsplain for you if I can what is going on.

The water rights were filed under the name of Kenneth A. Bertagna & Neblie L. Bertagna.

In 1988 dad passed on and I informed you that the water rights had changed as of 1992 because my daughter had bought part of the home place which is split by US highway 299E.

Roy & Tammy Ewin were sent a copy of their water rights which was the wrong ones which was no fault of yours it was an error made by Me not thinking about it at the time the one they should have gotten was from Bass Spring not Hobo Creek,

They do have a water right which is repairian from Hobo Creek that is from a ditch and $1\frac{1}{2}$ inch pipe line that is shown on the form which was just sent. This water right is from below the Diversion Dam that I have the Property they get their water from out of Hobo Creek is part of the original Home Place and now belongs too Kenneth Bertagna, Nadine Davis, Raymond Bertagna & Colleen Bertagna which we inherited after Dads Death.

This water has been used as long as all of the water rights on this ranch have been here but is now in Roy & Tammy Ewins name

The part of the Water Right that they should have been sent a copy of is the one from Bass Spring #Sol3938 and not from #Sol9671 which is mine and the property that still belongs too the three property owners.

Too try and make it more understanding I have A Water Right out of Bass Spring and also Hobo Creek. I also am still part owner of the remaining property of Dads that has not been sold.

All Water Right that have been filed have been done so by Me and all correspondence from your Office has been done with & by Mc nome else in the family knows or understands any of the Water Rights of all Three Parcels listed on these forms.

STATE WATER FOR DIRECT

1995 MAY 11 PM 2: 57

DIV. OF WATER RIGHTS SACRAMENTO

3.

)

I hope this will straighten out all of the Water Rights and that it didnt cause you problems because I wasnt paying as much attention to it as I should have if there is any more that you need too straighten this out I will do everything that it takes too put this problem on the right track.

I apologize for the mistake that was made by me and hope this will correct it.

Thank you for your help in this matter.

Kenneth A. Bertagna
P.O. Box 81-19256 Spootsy Dr.
Montgomery Creek, Calif.-96065

Sermette H. Declagna

Parcel #-027-310-14-Kenneth & Judith A. Bertagna
Parcel #-027-340-14-Roy & Tammy Ewin
Parcel #-027-310-15-Kenneth Bertagna, Nadine Davis, Raymond Bertagna
& Colleen Bertagna

STATE OF CALIFORNIA STATE WATER RESOURGES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 P ST. SACRAMENTO, CA (916) 322-4503

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WR 40-L(11/85)

1986

. 19 87. at Montgomery Criek,
Signature: Lemeth H.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A <u>riparian</u> <u>right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An <u>appropriative right</u> is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

\ "Water Rights for Stockponds Constructed Prior to 1,969" and the stockpond Constructed Prior to 1,969 and the stockpond Constructed Prior to 1,960 and the stockpond Constructed Prior to 1

"Appropriation of Water in California"

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Fig. 1

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 P.ST. SACRAMENTO, CA (916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:	1985 JAN 17 PM 3: 07 STATEMENT NO: 009671
KENNETH A & NEBILE L BERTA P 0 BOX 81	GNA DIV. SACRAMENTO
MONTGOMERY CREEK, CA 96065	TELEPHONE NUMBER: (916) 337-6313
TE NAME/ANDRESS/DUGNE NO	IS WRONG OR MISSING, PLEASE CORRECT.
SOURCE: UNNAMED STREAM	
TRIBUTARY TO: MONTGOMERY CREEK	
·	
COUNTY: SHASTA	•
DIVERSION WITHIN: NE1/4 OF NE1/4 SE	CTION 36, T35N, RO1W, MDB&M.
all or part of your regular water supply THIS FORM BY JULY 1, 1990. (A	B and C. Item D should be completed if you replaced with reclaimed or polluted water. RETURN dditional information on reverse side of this form.)
A. Amount of Use - Fill in the amount each month. If monthly and annual known, check the months in which was	use are not below are: Acre-feet
Jan. Feb. Mar. Apr. May	Total June July Aug. Sept. Oct Nov. Dec Annual
1987	
1988	U _ U U U
1989	
B. Purpose of Use - Specify number of	acres irrigated, stock watered, persons served, etc.
rrigation 40 3CRES) >
Stockwatering 10 - 25 N	ead Cattle & horses
Domestic 2- 2CR.CS	Laun Flower Beds - Trees
Other (specify)	
	cribe any changes in your project since your bump, enlarged diversion dam, location of
None	
	A consists of reclaimed or polluted water, please imed or polluted water in the space below.
None	
<u>.</u>	
I declare under penalty of perjury that the information in this repo	
DATED: 10 19 20, a	Montgonery Cruh, Colf GCABADINIA
	Signature: January Cruh, Colf grandinia
WR 40-I (11/85)	
0053	1 989

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"Statements of Water Diversion and Use"

_ : \

"Information Pertaining to Water Rights in California".

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

(916) 657-1875 FAX: 657-1485

In Reply Refer
to:332:WR:S-9671

JULY , 1 1994

Roy and Tammy Ewin P.O. Box 13 Round Mountain, CA 96084

Dear Mr. and Mrs. Ewin:

STATEMENT OF WATER DIVERSION AND USE NUMBER 9671

The son of the present holder of record for the above numbered statement has advised us that the property served has been transferred to you. Our records will be updated to show you as owner of this statement.

The next supplemental statement forms will be sent to you in January 1996.

If you have any questions or concerns, please contact me at the above number.

Sincerely,

ORIGINAL SIGNED BY:

Wynne Rowlands
Associate Land and Water Use Analyst
Application Unit #2

Enclosure

WR 40b (5/94)

bcc: OPG/KSN

WRowlands: pminer: 7-1-94
o: forms: 40: \$9671 Rowlands
SURNAME
DWR\$40 = [... 5]

86 35' ÿ

WR

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Wynne Rowlands Associate Land and Water Use Analyst Application Unit #2

Dear Mr Rowlands

STATEMENT OF WATER DIVERSION AND USE, STATEMENY NUMBER 9671
(IN REFERENCE to 332; WR; S9671

Thank You for your promptness in this matter and the Address for The Ewins as requested is as follows.

Roy & Tammy Ewin P.O. Box 13 Round Mtn, Calif. 96084

Thank You Kenneth A. Bertagna P.O. Box 81 Montgomery Creek, Calif. 96065

P.S. I have lived here my entire life and if I can be of help on something in this area in the future please let me know

.

STATE WATER RESOURCES CONTROL. BOARD

1994 JUN 29 AM 6: 23 DIV. OF WATER RIGHTS SACRAMENTO

(916) 657-1875 FAX: 657-1485

In Reply Refer
to:332:WR:S9671

JUNE 23 1994

Kenneth A. Bertagna P.O. Box 81 Montgomery Creek, CA 96065

Dear Mr. Bertagna:

STATEMENT OF WATER DIVERSION AND USE, STATEMENT NUMBER 9671

Thank you for your letter of May 16, 1994 advising that your father's property served under the above statement has been sold to Roy and Tammy Ewin. Please advise us of the mailing address for the Ewins.

Sincerely,

ORIGINAL SIGNED BY:

Wynne Rowlands Associate Land and Water Use Analyst Application Unit #2

WROWLANDS:shalbert:6-21-94 o:wr:s9671

SURNAME

Rowfonde 6-23-94

85:35:0

Ection Port

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

As you requested that I mark where we get water from Bass Spring, I done so with a Black marker at the point where I believe according to the best that can be told looking at these maps where the point is.

Bass Spring runs into HOBO Creek at a point just below my west property line and then goes on down Hobo Creek where it dumps in too Montgomery Creek at a point just behind the Mountain Union School.

Bertagna - 59671

Also our father who was Neblie has since Deceased and the water from Bass Spring that is piped too his home has been sold too Roy & Tammy Ewin. Please make note of the change

If I can be of assistance in this matter in any way please let me know.

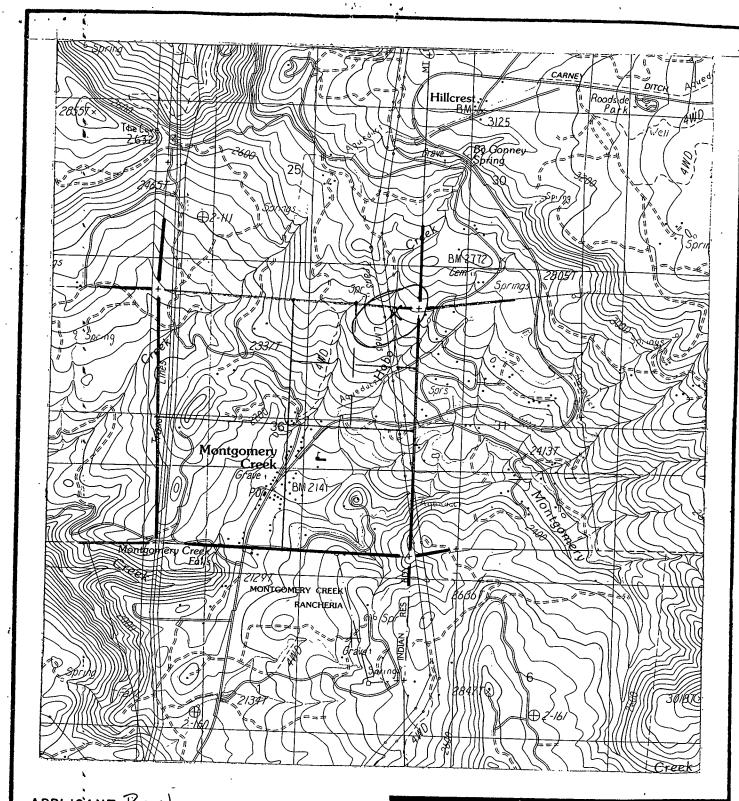
Thank You

Kenneth A Bertagna

P.S. I Still own my home that is also piped from the same point.

1

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APPLICANT Dertagna
DIVERSION WITHIN NE. 1/4 NE. 1/4 OF
SECTION 36 .,T 35.N. ,R.I.W, M.D. BEM
COUNTY OF Shasta.
U.S.G.S. Quad. Mantgomery CreekMap Code. :C-19.
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STATE WATER RESOU	CALIFORNIA RCES CONTROL BOARD WATER RIGHTS
APPLICATION	0
PERMIT STATEM	ENT. 2671
LICENSE	
DATE:	DRAWN BY:WK

STATE OF CALLFORNIA

STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

STATEMENT OF WATER-DIVERSION AND USE (This is not a Water Right) This statement should be typewritten or lugibly written in ink.

S9671

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